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PTO/SB/21 (04-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/494,213
	Filing Date	January 24, 2000
	First Named Inventor	Michael A. Martinelli et al.
	Art Unit	3737
	Examiner Name	Ruth S. Smith
Total Number of Pages in This Submission	Attorney Docket Number	5074A-000032/COB

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Corrected Filing Receipt; copy of previously filed Declaration; and acknowledgment postcard.		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Richard W. Warner	Reg. No.	38,043
Signature					
Date	August 8, 2006				

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Richard W. Warner	Express Mail Label No.	EV 855 009 655 US (8/8/2006)
Signature		Date	August 8, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 855 009 655 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/494,213
Filing Date: January 24, 2000
Applicant: Michael A. Martinelli et al.
Group Art Unit: 3737
Examiner: Ruth S. Smith
Title: METHOD AND SYSTEM FOR NAVIGATING A
CATHETER PROBE
Attorney Docket: 5074A-000032/COB

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Please correct the name of the applicant as it appears in the Official Filing Receipt from "Martin A. Martinelli" to -- Michael A. Martinelli -- as shown on the previously filed executed Declaration attached hereto. Please re-issue a Corrected Official Filing Receipt at the earliest convenience of the Office.

Respectfully submitted,

Date: August 8, 2006

By: Richard W. Warner
Richard W. Warner, Reg. No. 38,043
Michael L. Taylor, Reg. No. 50,521

HARNESS, DICKEY & PIERCE, P.L.C.
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Bloomfield Hills, Michigan 48303
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.	<u>09/494,213</u>
In re Continuation Reissue Application of:	Michael A. Martinelli
Based upon Reissue Appl. No.	09/231,854
Reissue Filing Date:	January 14, 1999
U.S. Patent No.	5,592,939
Issue Date:	January 14, 1997
Based upon Appl. No.	490,342
Filing Date:	June 14, 1995
Title:	METHOD AND SYSTEM FOR NAVIGATING A CATHETER PROBE
Attorney's Docket No:	MRTK-001RECON

BOX REISSUE

Assistant Commissioner for Patents
Washington, DC 20231

**REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY
BY MICHAEL A. MARTINELLI**

Sir:

I, Michael A. Martinelli, declare that:

1. My residence address is 58 Wedgemere Avenue, Winchester, MA 01890, USA.
2. I am a citizen of the United States of America.
3. I believe I am the original, first and sole inventor of the subject matter that is described and claimed in United States patent number 5,592,939 ("the '939 patent" hereinafter), granted on January 14, 1997, and for which I solicit a reissue patent.

4. I have read and understand the contents of the attached reissue application, including the specification and claims.

5. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

6. I believe the '939 patent to be wholly or partly inoperative or invalid by reason of my claiming less than I had a right to claim in the patent. Specifically, the claimed method of determining the location of sensing coils erroneously included the limitation of being affixed to a distal end of a catheter probe partially inserted into a body cavity.

7. The above-identified error in the '939 patent has been corrected in the attached reissue application by adding new claims 26 through 47. In particular, claims 26, 29, 30, 37, and 41 correspond to original claims 1, 7, 8, 15, and 19, respectively, except for the removal of the limitation of being affixed to a distal end of a catheter probe partially inserted into a body cavity.

8. The above-identified errors in the '939 patent arose without any deceptive intent.

9. I appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Mark G. Lappin	Reg. No. 26,618	Ronald R. Demsher	Reg. No. 42,478
Toby H. Kusmer	Reg. No. 26,418	David M. Mello	Reg. No. 43,799
Elizabeth A. Levy	Reg. No. 34,375	Debra A. Gaw	Reg. No. 38,463

SEND CORRESPONDENCE TO:

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28 State Street
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DIRECT TELEPHONE CALLS TO:

Toby H. Kusmer
Telephone: (617) 535-4065
Fax: (617) 535-3800

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2/8/00
Date

Michael A. Martinelli
Michael A. Martinelli